

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11796 of 2024**

Arising Out of PS. Case No.-183 Year-2023 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. Bishnu Dev Tanti S/O Amarjeet Tanti Village- Kalna, Ps.- Kusheshwar Asthan, Dist.- Darbhanga.
 2. Amarjeet Tanti S/O Late Asharfi Tanti Village- Kalna, Ps.- Kusheshwar Asthan, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 12-03-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 504, 34 of the Indian Penal Code, later on Section 302 of I.P.C. was added.

3. As per the prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not



specific rather general and omnibus in nature. He submits that there is no specific overt act against petitioner no. 2. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against petitioner no. 2, let the above named petitioner no.2, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kusheshwar Asthan P.S. Case No. 183 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Considering the facts and circumstances of case and the fact that there is specific allegation against petitioner no. 1 of assaulting the informant and the injury was found grievous in nature, I am not inclined to enlarge petitioner no.1 on anticipatory bail. The prayer for anticipatory bail of the



petitioner no. 1 is hereby rejected.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

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